

Appl. No. : 10/728,693
Filed : December 5, 2003

SUMMARY OF INTERVIEW

Applicants' attorney appreciates the courtesy extended by Examiner Mitchell during the interview on February 14, 2005. Set forth below is Applicants' attorney's recollection of the subject matter discussed. A copy of the Examiner's Interview Summary is attached.

Exhibits and/or Demonstrations

An exhibit was shown and discussed which consisted of a shadow box demonstrating the nails of the instant invention to those of the prior art and Applicants' fastener and connector system.

Identification of Claims Discussed

Independent Claims 1, 9 were discussed.

Identification of Prior Art Discussed

Three cited references, Campbell (U.S. Patent No. 5,511,917), Schwartz (U.S. Patent No. 5,181,439) and Campbell (U.S. Patent No. 4,894,963), were discussed.

Proposed Amendments

Amendments to the two independent claims were discussed and the Examiner agreed that amendments describing color coding representing two shaft properties would be acceptable and would read over the prior art.

Results of Interview

The Examiner noted that systems could include kit and kits are considered patentable.

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REMARKS

Claim 9 has been amended. Claims 1, 5-7 and 45-56 have been canceled without traverse. Applicant will pursue these claims in a divisional application. Claims 13, 44 and 57-89 have been withdrawn. Claims 90-98, dependent of Claim 9, have been added.

Independent Claim 9 was previously rejected as being obvious over U.S. Patent No. 5,551,917 to Dickson in view of U.S. Patent No. 5,181,439 to Schwartz. As amended, Claim 9 now recites a method of identifying the physical properties of an inserted fastener using a pre-selected color to identify at least two physical properties of the fastener. It is respectfully submitted that neither Dickson nor Schwartz, alone or in combination, teaches or suggests the inventions defined by presently amended Claim 9.

It is also respectfully submitted that U.S. Patent No. 3,550,244 to Villo et al. neither teaches nor suggests the invention defined by the amended claim. Villo teaches using a colored symbol on a dowel to indicate only the diameter of the dowel. See Col. 1, Lines 60-65. Villo fails to teach using an exposed colored portion of a fastener to indicate at least two physical properties as recited in the amended claims.

Accordingly, Applicants respectfully submit that the pending and claims are in condition for immediate allowance.

If any minor obstacles to allowability are noted which may be corrected by Examiner's amendment, the Examiner is respectfully invited to contact the undersigned by telephone.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 5/5/05

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